

## REMARKS

Claims 1-40 are pending in the present application but stand rejected. In view of the following remarks, the Applicant requests the Examiner's thoughtful reconsideration.

***Claim Rejections – 35 USC §102:*** The Examiner rejected Claims 1-8, 15-22, and 37 under §102 as being anticipated by USPN 5,454,079 issued to Roper.

**Claim 1** is directed to a method for preparing electronic data for transmission, and, as amended, recites the following:

1. calculating a duration for compressing the electronic data,
2. calculating a duration for transmitting the electronic data if not compressed, and
3. compressing the electronic data only if the duration for compressing does not exceed the duration for transmitting,
4. wherein calculating the duration for transmitting the electronic data if not compressed includes:
  - a. measuring a duration for transmitting other electronic data;
  - b. identifying a size of the other electronic data;
  - c. calculating a transmit rate based on the measured duration for transmitting the other electronic data and the identified size of the other electronic data; and
  - d. calculating the duration for transmitting the electronic data according to a size of the electronic data and the transmit rate.

In short, Claim 1 has been amended to include steps directed to the calculation or identification of a transmit rate based on measured transmit rate of other electronic data.

Roper discusses a communication subsystem that receives data for transmission from a computer work station. Along with the data the subsystem receives information identifying a communication channel and a compression format. The subsystem can

either compress the data itself or instruct the computer workstation to do so. Roper, Abstract. To determine if compression is justified, the subsystem identifies a time limit frame within which compression should be performed. If the data cannot be compressed within the time frame, then it is not compressed. The time frame may be derived from an estimated transmission time or could include estimated compression/decompression times. Roper, Summary, col. 3, lines 22-44.

In further explanation, Roper describes the subsystem receiving a packet that includes data, a channel identifier, and compression information. The channel information identifies a link over which the packet is to be sent. Using the channel identifier, the subsystem refers to a table that contains information about that link. This information includes the link's bandwidth and maximum frame size and, perhaps, updated traffic information regarding the link. Roper, col. 4, line 57 through col. 5, line 10. The subsystem uses the information from the table (bandwidth, maximum frame size, and traffic conditions) to estimate time saved by sending compressed data over the link. A determination as to whether or not compress the data is based on the estimation. Assumedly this means that if no time savings is estimated, the data is not compressed. See Roper, col. 6, lines 18-30.

Roper teaches reading transmit rates (bandwidths) posted in a table and mentions nothing of the calculation of such transmit rates. Consequently, Roper fails to teach or suggest the calculation of a transmit rate as recited in Claim 1. For at least this reason, Claim 1 and Claim 2-5 which depend from Claim 1 are patentable over Roper. Claims 6-8 have been cancelled.

**Claim 15** is directed to a computer readable medium having instructions for implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so are Claim 15 and Claims 16-19 and 22 which depend from Claim 15. Claims 20 and 21 have been cancelled.

**Claim 37** is directed to a system that includes various means for implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so is Claim 37.

**Claim Rejections – 35 USC §103:** The Examiner rejected Claims 9-14, 23-26, and 38-40 under §103 as being unpatentable over Roper in view of USPN 6,891,631 issued to Nakazato.

**Claim 9** is directed to a method for preparing a print job containing raster data and, as amended, recites the following:

1. calculating a duration for compressing the raster data;
2. calculating a duration for transmitting the print job if the raster data is not compressed; and
3. compressing the raster data only if the duration for compressing does not exceed the duration for transmitting,
4. wherein calculating a duration for transmitting the print job if the raster data is not compressed includes:
  - a. measuring a duration for transmitting a prior print job;
  - b. identifying a size of the prior print job;
  - c. calculating the transmit rate for the prior print job based on the measured duration for transmitting the prior print job and the identified size of the prior print job;
  - d. calculating the duration for transmitting the print job according to a size of the print job and the transmit rate.

As discussed above, Roper teaches reading transmit rates (bandwidths) posted in a table and mentions nothing of the calculation of such transmit rates. Consequently, Roper fails to teach or suggest the calculation of a transmit rate as recited in Claim 9. Nakazato is silent on this matter. For at least this reason, Claim 9 and Claims 10 and 14 which depend from Claim 1 are patentable over Roper and Nakazato. Claims 11-13 have been cancelled.

**Claim 23** is directed to a computer readable medium having instructions for implementing the method of Claim 9. For at least the same reasons Claim 9 is patentable, so are Claim 23 and Claims 24 and 28 which depend from Claim 23. Claims 25-27 have been cancelled.

**Claim 38** is directed to a system that includes various means for implementing the method of Claim 9. For at least the same reasons Claim 9 is patentable, so are Claim 38 and Claims 39-40 which depend from Claim 38.

**Conclusion:** In view of the foregoing remarks, the Applicant respectfully submits that the pending claims are in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,  
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